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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/534,805

05/12/2005

Mark Thomas Johnson

NL 021128

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03/24/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

TRAN, MY CHAU T

ART UNIT

PAPER NUMBER

2629

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/534,805	<b>Applicant(s)</b> JOHNSON, MARK THOMAS	
	<b>Examiner</b> MY-CHAU T. TRAN	<b>Art Unit</b> 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Office Action</u> .                                       | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Application and Claims Status***

1. Applicant's preliminary amendment filed 05/12/2005 are acknowledged and entered.
2. Claims 1-11 were pending. Applicants have amended claim 10. No claims were added and/or cancelled. Therefore, claims 1-11 are currently pending and are under consideration in this Office Action. Moreover, the instant application is a 371 of PCT/IB03/04770 filed 10/27/2003, and as a result the effective filing date of this application is 10/27/2003.

### ***Priority***

3. Receipt is acknowledged of papers, i.e. European Patent Application Number 02079767.6 filed 11/15/2002, submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

4. The information disclosure statements (IDS) filed on 05/12/2005 and 03/15/2006 have been reviewed, and the references that have been considered are initialed as recorded in PTO-1449 forms.

### ***Specification***

5. The disclosure is objected to because of the following informalities: The instant specification does not include any section headings that would provide clarity and consistency with the preferred format for US patent applications. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Howard et al. (US Patent 6,023,259).

For ***claims 1 and 2***, Howard et al. disclose a current driver for an active matrix organic light emitting display device (see e.g. Abstract; col. 1, lines 11-17; col. 4, lines 1-32; col. 6, lines 12-40). The device comprises a display (refers to instant claimed active matrix emissive display) having an array of pixels with one or more organic light emitting devices (OLEDs)(refers to instant claimed plurality of light emitting elements), current drivers for driving each OLEDs wherein each current drivers (refers to instant claimed means for applying a driving signal) comprises a transistor and a voltage source, and controller (refers to instant claimed control means) for controlling and supplying the data information to the current driver (see e.g. col. 6, lines 12-40; col. 7, lines 1-38). The operation of the display comprises generating gray levels by either amplitude modulation and/or pulse width modulation (see e.g. col. 8, lines 1-5 and 20-38).

For ***claim 11***, Howard et al. disclose the method of driving the active matrix organic light emitting display device (see e.g. col. 5, line 27 thru col. 6, line 6). The method comprises the step of generating gray levels by either amplitude modulation and/or pulse width modulation (see e.g. col. 8, lines 1-5 and 20-38).

Therefore, the device and method of Howard et al. do anticipate the instant claimed invention.

7. Claims \*\*\* are rejected under 35 U.S.C. 102(e) as being anticipated by Ueda (US Patent 7,212,193 B2; *filing date of 09/19/2002*).

For **claims 1, 3-10**, Ueda discloses several different driving circuit for a self emissive display of a portable electronic device and the methods of driving the display (see e.g. Abstract; col. 1, lines 8-21; col. 2, line 66 thru col. 4, line 67; figs. 1, 4, and 6). The portable electronic device (refers to instant claimed electric device) comprises a display comprising an array of light emitting diode (refers to instant claimed plurality of light emitting elements), a controller, and a driving circuit for driving the display (see e.g. col. 4, lines 32-67; col. 6, lines 17-33; col. 11, lines 8-17; fig. 1 and 4). The controller (refers to instant claimed control means) supplies the displaying data and the type driving frequency signal to the driving circuit for displaying the data on the display, i.e. base on the type of display content to be displayed the controller selects the type of driving frequency such as 90 Hz, 75 Hz, or 60 Hz to be use by the driving circuit in order to reduce current consumption of the display (refers to instant claims 3, 5, 6, 7, and 8)(see e.g. col. 7, lines 29-53; col. 9, line 34 thru col. 10, line 13). In one embodiment as illustrated by figure 6, the portable electronic device also includes an acceleration sensor that detects the vibration of the portable electronic device applied by the user and send the vibration signal to the controller, which use the signal to generates a switching signal to the driving circuit to change the driving frequency (refers to instant claim 4) (see e.g. col. 11, line 8 thru col. 12, line 41). Ueda discloses that the display can also comprise different display portions wherein the

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controller would controls the driving frequency for each portions of the display, i.e. base on the type of display content to be displayed the controller selects the type of driving frequency such as 90 Hz, 75 Hz, or 60 Hz to be use in each portions of the display (refers to instant claim 9) (see e.g. col. 12, lines 42-67).

For *claim 11*, Ueda discloses a driving method wherein the method comprises the step of changing the driving frequency of the display based on the display content (see e.g. col. 2, line 66 thru col. 3, line 26; col. 7, lines 29-53; col. 9, line 34 thru col. 10, line 13).

Therefore, the devices and method of Ueda do anticipate the instant claimed invention.

### ***Conclusion***

8. No claims allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MY-CHAU T. TRAN whose telephone number is (571)272-0810. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MY-CHAU T. TRAN/  
Primary Examiner, Art Unit 2629

March 28, 2008